

**MINUTES OF THE REGULAR MEETING  
RIVER OAKS CITY COUNCIL  
OCTOBER 25, 2022**

**MEMBERS PRESENT:**

MAYOR PRO TEM DAN CHISHOLM  
COUNCIL MEMBER STEVE HOLLAND  
COUNCIL MEMBER LEIGH ANN TURNER  
COUNCIL MEMBER YOLIE RODRIGUEZ  
COUNCIL MEMBER JOHN CLARIDGE

**STAFF PRESENT:**

CITY MANAGER MARVIN GREGORY  
CITY SECRETARY PAULA LUCK  
CITY ATTORNEY ANDREA RUSSELL  
PUBLIC WORKS DIRECTOR GORDON SMITH  
POLICE CHIEF CHUCK STEWART  
EMERGENCY MGT JAMES MYRICK  
EVENT CENTER DIRECTOR SHIRLEY BLOOMFIELD  
UTILITY BILLING COORDINATOR BLYTHE REAVES

**ABSENT:**

MAYOR JOE ASHTON

1. CALL TO ORDER

With a quorum present, Mayor Pro Tem Chisholm called the Regular Meeting of the River Oaks City Council to order at 6:19 p.m. on Tuesday, October 25, 2022 at River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

CM Rodriguez delivered the Invocation.

3. PLEDGE OF ALLEGIANCE TO UNITED STATES FLAG AND THE TEXAS FLAG

CM Rodriguez led the Pledges of Allegiance to the United States and the Texas Flags.

4. READING OF PROCLAMATION(S) AND SPECIAL PRESENTATIONS BY MAYOR.

**NONE**

5. PUBLIC TESTIMONY: CITIZENS TO SPEAK ON ANY TOPIC OR ANY AGENDA ITEM BEFORE AN DURING THE MEETING BY RAISING YOUR HAND TO BE RECOGNIZED; HOWEVER, UNLESS THE ITEM IS SPECIFICALLY NOTED ON THIS AGENDA, THE CITY COUNCIL IS REQUIRED UNDER THE TEXAS OPEN MEETINGS ACT TO LIMIT ITS RESPONSE WITH A STATEMENT OF SPECIFIC FACTUAL INFORMATION, RECITING THE CITY'S EXISTING POLICY ON THAT ISSUE, OR DIRECTING THE PERSON MAKING THE INQUIRY TO VISIT WITH CITY STAFF ABOUT THAT ISSUE, AND NO COUNCIL DELIBERATION IS PERMITTED FOR TOPICS NOT SPECIFICALLY LISTED ON THIS AGENDA.

**NONE**

6. **CONSENT AGENDA** ALL ITEMS UNDER THIS SECTION ARE RECOMMENDED FOR APPROVAL FOR THE "CONSENT AGENDA". THESE ITEMS ARE OF A ROUTINE NATURE AND REQUIRE ONLY BRIEF DELIBERATION BY COUNCIL. **COUNCIL RESERVES THE RIGHT TO REMOVE ANY ITEM ON THE CONSENT AGENDA FOR FURTHER DELIBERATION**

- A. APPROVE MINUTES OF OCTOBER 11, 2022 REGULAR CALLED COUNCIL MEETING
- B. APPROVE BILLS PAYABLE FOR PERIOD ENDING SEPTEMBER 30, 2022 (FY 2022)
- C. APPROVE BILLS PAYABLE FOR PERIOD ENDING OCTOBER 25, 2022 (FY 2023)
- D. APPROVE APPOINTMENT OF BETH FLIPPO, CODE ENFORCEMENT OFFICER, AS PLACE 5 MEMBER ON THE STORM WATER TASK FORCE
- E. APPROVE INVESTMENT REPORT FOR 4<sup>TH</sup> QUARTER FY 2021-2022 (JULY 1-SEPT 30, 2022)

**CM Claridge moved, seconded by CM Rodriguez to approve the Consent Agenda items A-E. All voted "Aye".**

7. DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.

**NONE**

**PERSONAL APPEARANCES AND/OR ITEMS REQUIRING COUNCIL APPROVAL/ACTION:**

8. CONSIDER APPROVAL OF AN AGREEMENT WITH AT&T FOR DEDICATED INTERNET & VOICE BUNDLE UP TO 23 CHANNELS.

Council approved the project with city attorney's approval at a past meeting. Agreement needed to be revised but this is AT&T's standard agreement. After further review, the city attorney approved the agreement.

**CM Claridge moved, seconded by Mayor Pro Tem Chisholm to approve the agreement with AT&T. All voted "Aye".**

9. CONSIDER APPROVAL OF 2023 ERCOT MEMBERSHIP AND AGREEMENT.

This is a standard yearly agreement.

**CM Claridge moved, seconded by CM Rodriguez to approve the 2023 Ercot Membership and Agreement. All voted "Aye".**

10. CONSIDER ACTION TO OVERTURN THE AUGUST 9, 2022 COUNCIL DECISION TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF FORT WORTH ON THE SKYLINE DRIVE WATER LINE RECONSTRUCTION IMPROVEMENTS PROJECT IN ORDER TO INSTALL A 16-INCH WATER MAIN THAT PROVIDES POTABLE WATER FROM THE CITY OF FORT WORTH TO THE EMERGENCY CONNECTION THAT SERVES RIVER OAKS.

Council agreed to drop out of the project and use the funds for the Water Treatment Plant project.

**CM Holland moved, seconded by CM Claridge to deny entering into an ILA with the City of Fort Worth for the Skyline project. All voted "Aye".**

**ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:**

11. CONSIDER APPROVAL OF ORDINANCE #1363-2022 AMENDING CHAPTER 13 "UTILITIES", ARTICLE 13.02 "UTILITY POLICY" UNDER DIVISION 2 "WATER SERVICE POLICY" SPECIFICALLY UNDER SECTION 13.02.038 "WAIVER OF CHARGES; ADJUSTMENTS OF BILL" OF THE RIVER OAKS CODE OF ORDINANCES (2020) AS ADOPTED AND AS AMENDED.

This will eliminate the good credit part and apply some new rules. The customer will have a 60-day window to pull permits and to get the repairs done and have the work inspected. If a permit is required, the permits must be obtained by a licensed and River Oaks registered plumber. Council agreed to remove in the Ordinance #8, #IV.

**CM Claridge moved, seconded by Mayor Pro Tem Chisholm to approve Ordinance #1363-2022 as amended. All voted "Aye".**

12. CONSIDER APPROVAL OF ORDINANCE #1364-2022 DESIGNATING THE RIVER OAKS NEWS AND THE FORT WORTH STAR TELEGRAM AS THE OFFICIAL NEWSPAPERS OF THE CITY OF RIVER OAKS.

We need to include both papers as the official papers to River Oaks.

**Mayor Pro Tem Chisholm moved, seconded by CM Rodriguez to approve Ordinance #1364-2022. All voted "Aye".**

**OTHER ITEMS FOR DISCUSSION AND/OR ACTION:**

13. UPDATE ON SUBSTANDARD PROPERTIES AT:

- 636 SCHIEME-actively working on main house.
- 1513 SKYLINE-permits expired, stop work order issued.
- 1114 HARVARD-public hearing.
- 5016 ALMENA-notice needs to be sent out.
- 940 CODY COURT (APT 6-13)-city inspected but report not released.
- 5309 CAHILL OVAL-almost complete.
- 1909 YALE-30 days are up.
- 4844 HARTFORD-on going, need to send out for public hearing.
- 1011 ROBERTS CUT OFF-burn out, actively working.
- 1513 ROBERTS CUT OFF
- 1100 BANKS-will demo house.

14. DISCUSSION AND/OR ACTION REGARDING UPDATES FROM THE CITY MANAGER ADVISING THE MAYOR AND CITY COUNCIL ON PERSONNEL, CITY'S FISCAL CONDITION, PANDEMIC EXECUTIVE ORDERS, SCHEDULING COUNCIL WORK SESSIONS, FUTURE NEEDS OF THE CITY AND OTHER CITY MANAGER RECOMMENDATIONS.

Personnel-Public Works-all positions all filled; Fire Dept-fully staffed; Police Dept-three open positions.

Tower Lease-hopefully this will be on the November 8, 2022 meeting.

General Storm Water Permit Authorization-in the middle of 60-days.

Black Oak Development-two houses started.

Street Construction-Merritt closed from Black Oak to River Oaks Blvd and should be complete by Thanksgiving.

15. DISCUSSION AND/OR ACTION ON PENDING LITIGATION INVOLVING ENGINEERING AND CLARIFIER ISSUES AT THE WATER PLANT.

This item will be discussed in Executive Session.

**QUESTIONS RELATED TO MONTHLY STAFF REPORTS INCLUDING:**

16. **POLICE DEPT. MONTHLY REPORT** INCLUDING PATROL ACTIVITY, RESPONSE CALLS, NUMBER OF CRIMINAL INVESTIGATION CASES, WARRANTS ISSUED AND ANIMAL CONTROL CALLS INCLUDING CITATIONS ISSUED.

17. **FIRE DEPT. REPORT** INCLUDING NUMBER OF CALLS FOR SERVICE AND FIRE TRAINING EXERCISES.

18. **INSPECTIONS AND CODE COMPLIANCE ACTIVITY REPORTS** INCLUDING NUMBER OF PERMITS ISSUED AND CODE VIOLATIONS WORKED.

19. **MUNICIPAL COURT** INCLUDING COURT ACTIVITY FROM FINES, BONDS, WARRANT FEES, COURT TAXES, COURT FEES, ARREST FEES, COURT SECURITY FEES, COURT TECHNOLOGY FEES, PAYMENT PLANS, STATE COURT COSTS AND AGENCY COLLECTION FEES

20. **PUBLIC WORKS ACTIVITY REPORT** INCLUDING ROAD REPAIRS COMPLETED, SIGNS INSTALLED, WATER PRODUCTION, WATER MAIN AND SERVICE LEAKS REPAIRED, NUMBER OF FIRE HYDRANTS AND DEAD-END LINES FLUSHED, NUMBER OF SEWER OVERFLOWS AND STOPPAGES, CUBIC TONS OF SOLID WASTE COMPACTED AND PUBLIC WORKS EQUIPMENT REPAIRS

21. **PARK BOARD ACTIVITY REPORT** INCLUDING BALLFIELD RENTALS, GRANT UPDATES AND QUESTIONS PERTAINING TO MINUTES FROM THE PARK BOARD

22. **EVENT CENTER ACTIVITY REPORT** INCLUDING NUMBER OF COMMUNITY CENTER RENTALS, EVENTS AND ACTIVITIES

23. **CITY SECRETARY ACTIVITY REPORT** INCLUDING REVENUE FROM SALES TAX, DOLLAR DONATIONS, EDC SALES TAX, TEXPOOL AND CRIME SALES TAX

24. **EDC ACTIVITY REPORT** INCLUDING FUNDED PROJECT UPDATES AND UPCOMING PROJECTS.

25. **STORM WATER TASK FORCE ACTIVITY REPORT** INCLUDING ACTINS TAKEN UNDER THE MS4 PERMIT, COMMUNITY EDUCATION AND PROMOTIONAL EVENTS REGARDING STORM WATER PREVENTION POLLUTION

26. **EMERGENCY MANAGEMENT ACTIVITY REPORT** INCLUDING POLICIES, PROCEDURES AND INFORMATION PERTAINING TO EMERGENCY MANAGEMENT PLANNING

Will stop trapping mosquitos in two weeks. COVID is not over.

**CORRESPONDENCE:**

27. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

CM Turner-thanked all for all who came to the Red Ribbon breakfast.

CM Rodriguez-Christmas parade coming along nicely.

Mayor Pro Tem Chisholm-Red Ribbon breakfast was nice. Everly voting started yesterday. Need to have IT look at the council laptops.

CM Holland-resident upset because there was a street cut on the new street on Roberts Cut Off. After investigation, it was ATMOS who did the cut. Invited all to the annual fundraiser. This year will be in-person on November 18, 2022 from 6:00-8:00 p.m. at the Event Center.

**EXECUTIVE SESSION:**

28. CONVENE IN EXECUTIVE SESSION PURSUANT TO CHAPTER 551, TEXAS GOVERNMENT CODE: THE COUNCIL RESERVES THE RIGHT TO CONVENE IN EXECUTIVE SESSION(S) FROM TIME TO TIME ON ANY POSTED AGENDA ITEM TO RECEIVE ADVICE FROM ITS ATTORNEY AS PERMITTED BY LAW DURING THIS MEETING. THE COUNCIL MAY CONVENE IN EXECUTIVE SESSION TO DISCUSS THE FOLLOWING:

- a. Section 551.071 Pending or contemplated litigation or to seek advice from attorney;
- b. Section 551.072 Discussion regarding possible sale, lease or acquisition of real estate;
- c. Section 551.074 Personnel matters – To deliberate the appointment, employment, evaluation, reassignment of duties, discipline or dismissal of a Public Officer or Employee or to hear a compliant or charge against an Officer or Employee;
- d. Section 551.076 Deliberation regarding security devices.

At 7:32 p.m., Mayor Pro Tem Chisholm went into Executive Session under Section 551.071.

At 7:46 p.m., Mayor Pro Tem Chisholm reconvened into Open Session.

**RECONVENE:**

29. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

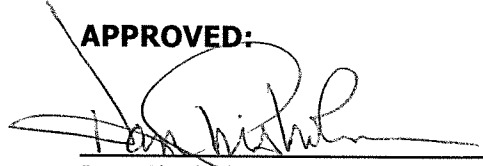
**NONE**

**ADJOURN:**

30. ADJOURN

**At 7:46 p.m., Mayor Pro Tem Chisholm adjourned the meeting. All voted "Aye".**

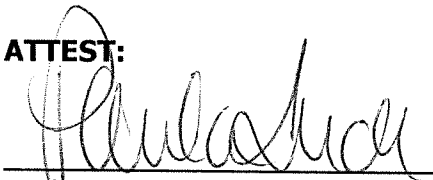
**APPROVED:**



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Dan Chisholm, Mayor Pro Tem

**ATTEST:**



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Paula Luck, City Secretary